

**MINUTES
ENVIRONMENTAL QUALITY BOARD
NOVEMBER 9, 2021
TRI COUNTY TECH
BARTLESVILLE, OKLAHOMA**

Official EQB Approved
On February 18, 2022

Notice of Public Meeting – The Environmental Quality Board (Board) convened for a Regular Meeting at 10:00 a.m., at the Tri County Tech, 6101 Nowata Road, Bartlesville, Oklahoma. This meeting was held in accordance with 25 O.S. Section 311, with notice of the meeting given to the Secretary of State on November 4, 2020. The agenda was mailed to interested parties on October 29, 2021 and was posted at the DEQ and the facility on November 8, 2021. Dr. Tracy Hammon, Chair, called the meeting to order. Dr. Hammon talked on safety precautions in case of an emergency and welcomed Mr. Bennett Beard, Office of the Secretary of Energy & Environment and Mayor of Bartlesville, Dale Copeland to the meeting. Ms. Fields called roll and a quorum was confirmed.

MEMBERS PRESENT

Richard Auer
Mark Barton
John Easton
David Griesel
Ken Hirshey
Jimmy Kinder
Steve Mason
Tim Munson
Billy Sims
Tracy Hammon

DEQ STAFF PRESENT

Scott Thompson, Executive Director
Jimmy Givens, Deputy Executive Director
Rob Singletary, Chief of Staff
Michelle Wynn, Legislative Liaison
Jennifer Boyle, General Counsel
Kendal Stegmann, Air Quality Division
Shellie Chard, Water Quality Division
Erin Hatfield, Office of Communications
Kathy Aebischer, Administrative Services Division
Travis Couch, Environmental Complaints & Local Services
Skylar McElhaney, Office of Continuous Improvement
Jeremy McKinney, Environmental Complaints & Local Services
Debbie Nichols, Environmental Complaints & Local Services
Mark Bersche, Environmental Complaints & Local Services
Travis Mensik, Environmental Complaints & Local Services
Sharon Smith, Office of the Executive Director
Quiana Fields, Board & Council Secretary

MEMBERS ABSENT

Shannon Ferrell
Alexie Kindrick
Mike Paque

OTHERS PRESENT

Jennifer Lewis, Office of the Attorney General
Bennett Beard, Office of the Secretary of Energy & Environment
Dale Copeland, Mayor of Bartlesville
Deb Garver, Court Reporter

Approval of Minutes – Mr. Kinder moved to approve the Minutes of the September 14, 2021 Regular Meeting. Mr. Barton made the second.

transcript pages 6 - 8

Richard Auer	Yes	Jimmy Kinder	Yes
Mark Barton	Yes	Steve Mason	Yes
John Easton	Yes	Tim Munson	Yes
David Griesel	Yes	Billy Sims	Yes
Ken Hirshey	Yes	Tracy Hammon	Yes

Rulemaking – OAC 252:100 Air Pollution Control – Dr. Hammon called upon Ms. Laura Lodes, Chair of the Air Quality Advisory Council (AQAC), to present the air rules. Ms. Lodes stated that the Department of Environmental Quality (DEQ) is proposing to update OAC 252:100, Appendix Q, Incorporation by Reference, to incorporate the latest changes to U.S. Environmental

Protection Agency (EPA) regulations. In addition, the Department is proposing to update language in Subchapter 2, Incorporation by Reference, to reflect the latest date of incorporation of EPA regulations in Appendix Q relating to the National Emission Standards for Hazardous Air Pollutants (NESHAP) and New Source Performance Standards (NSPS). Following no questions or comments by the Board or the public, Dr. Hammon called for a motion. Mr. Griesel moved to approve and Mr. Mason made the second.

transcript pages 8 - 11

Richard Auer	Yes	Jimmy Kinder	Yes
Mark Barton	Yes	Steve Mason	Yes
John Easton	Yes	Tim Munson	Yes
David Griesel	Yes	Billy Sims	Yes
Ken Hirshey	Yes	Tracy Hammon	Yes

Ms. Lodes stated the Department is proposing to amend OAC 252:100-13, Open Burning, to conform the Department's rules to statutory changes enacted in the 2021 legislative session. Senate Bill 246 (2021) changes 27A Okla. Stat. (O.S.) § 2-5-130 to only require an air curtain incinerator (ACI) be used in counties or areas within a county that are or have been designated nonattainment or where an ambient air quality monitor has documented a violation of the National Ambient Air Quality Standards (NAAQS), or those counties with a population of greater than 500,000. Following questions by the Board and none by the public, Dr. Hammon called for a motion. Mr. Sims moved to approve and Mr. Griesel made the second.

transcript pages 11 - 14

Richard Auer	Yes	Jimmy Kinder	Yes
Mark Barton	Yes	Steve Mason	Yes
John Easton	Yes	Tim Munson	Yes
David Griesel	Yes	Billy Sims	Yes
Ken Hirshey	Yes	Tracy Hammon	Yes

Ms. Lodes stated the Department is proposing to make revisions in Subchapters 8, 37 and 39 as part of the Department's review of Chapter 100 in response to Governor Stitt's Executive Order 2020-03. The Department is proposing to correct the rule and statute references in OAC 252:100-8-36.1 to the proper legal form. The Department is proposing to add an exemption to OAC 252:100-37-16(c) to formalize the Department's interpretation that natural gas compressor stations are not considered loading facilities for the purposes of this section. In OAC 252:100-39-45, the Department is proposing to correct the approval process for facilities that incinerate petroleum solvent dry cleaning filters and to remove the outdated compliance schedule. Following no questions or comments by the Board or the public, Dr. Hammon called for a motion. Mr. Hirshey moved to approve and Mr. Barton made the second.

transcript pages 14 - 17

Richard Auer	Yes	Jimmy Kinder	Yes
Mark Barton	Yes	Steve Mason	Yes
John Easton	Yes	Tim Munson	Yes
David Griesel	Yes	Billy Sims	Yes
Ken Hirshey	Yes	Tracy Hammon	Yes

Ms. Lodes stated that the Department is proposing to amend the source obligation provisions for facilities subject to prevention of significant deterioration (PSD) in OAC 252:100-8-36.2 to more closely align Oklahoma's rules with the EPA rules in 40 C.F.R. § 51.166 (r). This proposed rulemaking is in response to requests from industry to add the "reasonable possibility" provisions. Following no questions or comments by the Board or the public, Dr. Hammon called for a motion. Mr. Munson moved to approve and Mr. Griesel made the second.

transcript pages 17 - 19

Richard Auer	Yes	Jimmy Kinder	Yes
Mark Barton	Yes	Steve Mason	Yes
John Easton	Yes	Tim Munson	Yes
David Griesel	Yes	Billy Sims	Yes
Ken Hirshey	Yes	Tracy Hammon	Yes

Consideration of and Action on the Annual Environmental Quality Report – Dr. Hammon called upon Mr. Rob Singletary, Chief of State of the DEQ. Mr. Singletary gave a presentation on the Annual Environmental Quality Report which must be approved by the Board prior to its submission to the Governor, Speaker of the House and Senate President Pro Tempore by January 1. The purpose of this report is to outline DEQ’s annual funding needs for providing environmental services within its jurisdiction, reflect any new federal mandates and summarize DEQ-recommended statutory changes. The Environmental Quality Board is authorized to review, amend (as necessary) and approve the report. Following questions by the Board and none by the public, Mr. Munson made a motion to approve the Annual Environmental Quality Report and Mr. Griesel made the second.

transcript pages 19 - 45

Richard Auer	Yes	Jimmy Kinder	Yes
Mark Barton	Yes	Steve Mason	Yes
John Easton	Yes	Tim Munson	Yes
David Griesel	Yes	Billy Sims	Yes
Ken Hirshey	Yes	Tracy Hammon	Yes

Executive Director’s Report – Mr. Scott Thompson, Executive Director of the DEQ, discussed agency accomplishments and activities since the last Board meeting, as well as information pertaining to budgetary and/or legislative or related matters.

transcript pages 45 - 63

Budget Status Report (FY 2022) – Dr. Hammon called upon Ms. Kathy Aebischer, Chief Financial Officer of the DEQ. Ms. Aebischer gave a presentation on the FY 2022 budget update.

transcript pages 63 - 66

Employee Disclosures – Ms. Jennifer Boyle, General Counsel of the DEQ, stated the Environmental Quality Code requires DEQ employees involved in reviewing, issuing or enforcing permits to disclose financial interests they hold in entities regulated by the DEQ. The DEQ is required to submit these disclosures to the Board and make them part of the minutes. This is for informational purposes only and no action by the Board is required.

See transcript pages 66 - 67

New Business – Mr. Hirshey request to have an update on the electric charging station program. Ms. Stegmann will present information on electric charging at the next meeting.

transcript pages 67 - 69

Next Meeting – The next regular meeting is scheduled for February 18, 2022 in Oklahoma City, DEQ Multipurpose Room.

Adjournment – Dr. Hammon called for a motion to adjourn. Mr. Griesel moved to adjourn and Mr. Munson made the second. Meeting adjourned at 11:10 a.m.

transcript pages 70 - 71

Mark Barton	Yes	Alexandria Kindrick	Yes
John Easton	Yes	Jan Kunze	Yes
Shannon Ferrell	Yes	Tim Munson	Yes
David Griesel	Yes	Mike Paque	Yes
Tracy Hammon	Yes	Jimmy Kinder	Yes

Public Forum – Ms. Patricia Sifuentes, NAACP Oklahoma, had concerns on economic development.

transcript pages 71 - 77

The transcript and sign-in sheet become an official part of these Minutes.

DEPARTMENT OF ENVIRONMENTAL QUALITY
ENVIRONMENTAL QUALITY BOARD MEETING

Tri County Tech
6101 Nowata Road
Bartlesville, Oklahoma

November 9, 2021

9:30 A.M.

* * * * *

REPORTED BY DEBRA GARVER, CSR, RPR

Page 2	Page 3
<p>1 A P P E A R A N C E S</p> <p>2 Board Members:</p> <p>3 Tracy Hammon, Chairperson</p> <p>4 Richard Auer</p> <p>5 Perry Barton</p> <p>6 John Easton</p> <p>7 Shannon Ferrell, absent</p> <p>8 David Griesel</p> <p>9 Kenneth Hirshey Jr.</p> <p>10 James Kinder</p> <p>11 Alexandria Kindrick, absent</p> <p>12 Steve Mason</p> <p>13 Tim Munson</p> <p>14 Mike Paque, Vice Chairperson, absent</p> <p>15 Billy Sims</p> <p>16 PRESENTERS:</p> <p>17 Laura Lodes, Chair, Air Quality Advisory Council</p> <p>18 Rob Singletary, DEQ Chief of Staff</p> <p>19 Scott Thompson, DEQ Executive Director</p> <p>20 Kathy Aebischer, DEQ Chief Financial Officer</p> <p>21 Jennifer Boyle, DEQ General Counsel</p> <p>22 Kendal Stegmann, DEQ Division Director, Air Quality</p> <p>23 ALSO PRESENT:</p> <p>24 Jennifer Lewis, Assistant Attorney General</p> <p>25 Bennett Beard, Policy Analyst and Legislative Affairs at Oklahoma Secretary of Energy & Environment</p> <p> Dale Copeland, Mayor of Bartlesville</p> <p> * * * * *</p>	<p>1 P R O C E E D I N G S</p> <p>2 CHAIR HAMMON: The November 9th, 2021, regular</p> <p>3 meeting of the Environmental Quality Board has been</p> <p>4 called according to the Oklahoma Open Meeting Act,</p> <p>5 Section 311 of Title 25 of the Oklahoma Statutes.</p> <p>6 Notice was filed with the Secretary of State on</p> <p>7 November 4th, 2020. Agendas were mailed to interested</p> <p>8 parties on October 29th, 2021, and were posted at the DEQ</p> <p>9 and the facility on November 8th, 2021. Only matters</p> <p>10 appearing on the posted agenda may be considered.</p> <p>11 If this meeting is continued or reconvened, we must</p> <p>12 announce today the date, time, and place of the continued</p> <p>13 meeting, and the agenda for such continuation will remain</p> <p>14 the same as today's agenda.</p> <p>15 So, first off, welcome to Bartlesville. It is a</p> <p>16 pleasure to have everyone in my own back yard. I have</p> <p>17 lived in Bartlesville since 2005, and it is always a</p> <p>18 treat to have the meeting of the board here.</p> <p>19 I'd like to thank Tri County Tech, our current</p> <p>20 location, for their hospitality and hosting us this</p> <p>21 morning. Tri County Tech first opened its doors in 1968</p> <p>22 and serves high school and adult students with</p> <p>23 specialized career training. And they have a beautiful</p> <p>24 facility for us to be at today. So, thank you.</p> <p>25 A little bit about Bartlesville. So Bartlesville</p>
Page 4	Page 5
<p>1 was first incorporated in 1897 and was named after Jacob</p> <p>2 Bartles, who was a business owner in town, who owned a</p> <p>3 flour mill and a general store.</p> <p>4 Also in 1897, the first commercial oil well in the</p> <p>5 state of Oklahoma was actually here in town, called the</p> <p>6 Nellie Johnstone. There's actually a recreation of that</p> <p>7 oil well at Johnstone Park in downtown. So if you get</p> <p>8 some time this afternoon, it's fun to go see.</p> <p>9 In 1917, Phillips Petroleum was founded, one of the</p> <p>10 largest employers in this town. Later became</p> <p>11 ConocoPhillips and, more recently, in 2012, split into</p> <p>12 ConocoPhillips and Phillips 66.</p> <p>13 So if you do get time this afternoon, like I said,</p> <p>14 you can go see the recreation of the Nellie Johnstone.</p> <p>15 Downtown also has the Bartlesville History Museum. Right</p> <p>16 behind it is the Phillips Petroleum Museum and the Frank</p> <p>17 Lloyd Wright skyscraper. So all of those should be open</p> <p>18 today. They are worth the visit.</p> <p>19 If you ever find yourself back in town, I highly</p> <p>20 recommend Woolaroc, which was Frank Phillips' private</p> <p>21 reserve, but that is unfortunately closed today.</p> <p>22 So a couple of housekeeping items. Restrooms are</p> <p>23 located pretty much behind this wall. It's a little bit</p> <p>24 of a dark hallway, but I assure you the lights come on</p> <p>25 when you enter the restrooms. Those are right back</p>	<p>1 there.</p> <p>2 We have no risk of bad weather today, but if we do</p> <p>3 have a fire alarm go off, we'll proceed out the doors to</p> <p>4 the parking lot.</p> <p>5 Another little bit of a safety moment. The deer are</p> <p>6 pretty active in town I've noticed this week, so do be</p> <p>7 careful driving. Where you see one deer, you will see</p> <p>8 many more.</p> <p>9 For the board members, if you do make a motion</p> <p>10 today, I've been requested by our reporter that you say</p> <p>11 your name, like "Hammon moves" or "Hammon second," so</p> <p>12 that they can track who has done that.</p> <p>13 And I would like to welcome two guests that we have</p> <p>14 in the audience today. So we have Bennett Beard from the</p> <p>15 Secretary of Environment's office.</p> <p>16 Welcome. Appreciate you joining us.</p> <p>17 And we have Dale Copeland, who is the mayor of</p> <p>18 Bartlesville. And I understand that he also serves on</p> <p>19 the Hazardous Waste Management Advisory Council. We're</p> <p>20 so glad you could be here today.</p> <p>21 So, again, welcome to Bartlesville, and let's get us</p> <p>22 started with a roll call.</p> <p>23 MS. FIELDS: Mr. Auer.</p> <p>24 MR. AUER: Yes.</p> <p>25 MS. FIELDS: Mr. Barton.</p>

<p style="text-align: right;">Page 6</p> <p>1 MR. BARTON: Yes. 2 MS. FIELDS: Mr. Easton. 3 MR. EASTON: Yes. 4 MS. FIELDS: Dr. Farrell is absent. 5 Mr. Griesel. 6 MR. GRIESEL: Yes. 7 MS. FIELDS: Mr. Hirshey. 8 MR. HIRSHEY: Here. 9 MS. FIELDS: Mr. Kinder. 10 MR. KINDER: Yes. 11 MS. FIELDS: MS. Kindrick is absent. 12 Mr. Mason. 13 MR. MASON: Yes. 14 MS. FIELDS: Mr. Munson. 15 MR. MUNSON: Yes. 16 MS. FIELDS: Mr. Paque is absent. 17 Mr. Sims. 18 MR. SIMS: Here. 19 MS. FIELDS: Dr. Hammon. 20 CHAIR HAMMON: Yes. 21 MS. FIELDS: We have a quorum. 22 CHAIR HAMMON: Thank you, Quiana. 23 All right. Our first item is the approval of the 24 minutes from the September 14th, 2021, regular meeting. 25 Does anyone have comments or questions?</p>	<p style="text-align: right;">Page 7</p> <p>1 Do I have a motion to approve? 2 MR. KINDER: Jimmy Kinder. I would so move we 3 approve the minutes as mailed. 4 MR. BARTON: Barton second. 5 CHAIR HAMMON: Thank you. 6 Quiana, could I have a roll call. 7 MS. FIELDS: Mr. Auer. 8 MR. AUER: Yes. 9 MS. FIELDS: Mr. Barton. 10 MR. BARTON: Yes. 11 MS. FIELDS: Mr. Easton. 12 MR. EASTON: Yes. 13 MS. FIELDS: Mr. Griesel. 14 MR. GRIESEL: Yes. 15 MS. FIELDS: Mr. Hirshey. 16 MR. HIRSHEY: Yes. 17 MS. FIELDS: Mr. Kinder. 18 MR. KINDER: Yes. 19 MS. FIELDS: Mr. Mason. 20 MR. MASON: Yes. 21 MS. FIELDS: Mr. Munson. 22 MR. MUNSON: Yes. 23 MS. FIELDS: Mr. Sims. 24 MR. SIMS: Yes. 25 MS. FIELDS: Dr. Hammon.</p>
<p style="text-align: right;">Page 8</p> <p>1 CHAIR HAMMON: Yes. 2 MS. FIELDS: Motion passed. 3 CHAIR HAMMON: All right. Thank you. 4 We will now move into the rulemaking session. We 5 have, looks like, four different items to approve. I'll 6 ask that we go through these one at a time. Make a 7 motion on each after the presentation, but we will start 8 with A. 9 And I welcome Laura Lodes. 10 MS. LODES: Madam Chair, members of the board, 11 the Air Quality Division, as you said, has four different 12 action items for you today. 13 The first action item is OAC 252 Chapter 100, 14 Subchapter 2, and Appendix Q, incorporation by reference. 15 The department is proposing to update language in 16 Subchapter 2, incorporation by reference, to reflect the 17 new date of incorporation for Appendix Q, updated as of 18 June 30th, 2021. 19 This proposal is part of an annual update of 20 Title 40, Code of Federal Regulations incorporation by 21 reference, Chapter 100. The purpose of the update to 22 OAC 252:100, Appendix Q, incorporation by reference, is 23 to incorporate the latest change to EPA regulations. 24 Included are changes or modifications to 40 CFR Part 25 60, new source performance standards, and Part 63,</p>	<p style="text-align: right;">Page 9</p> <p>1 national emission standards for hazardous air pollutants, 2 as well as other referenced subparts. 3 Title 40, Code of Federal regulations incorporations 4 by reference are updated annually in the DEQ air 5 pollution control rules. The Oklahoma rules on 6 rulemaking dictate procedure for amending a rule appendix 7 by revoking the old and creating an entirely new 8 appendix. 9 Notice of proposed rule changes was published in 10 "The Oklahoma Register" on September 15th, 2021. The 11 department received no comments prior to or during the 12 October 20th, 2021, Air Quality Advisory Council Meeting. 13 The council unanimously approved the proposal at its 14 October meeting. As chair of the Air Quality Advisory 15 Council, I recommend that the board approve the proposed 16 Chapter 100-2 and Appendix Q revisions as permanent 17 rules. 18 Are there any questions? 19 CHAIR HAMMON: Any questions from the board? 20 Any questions from the room? 21 Hearing none, do I have a motion? 22 MR. GRIESEL: Moves approval. 23 MR. MASON: Second. 24 CHAIR HAMMON: I have a motion and a second. 25 Quiana, roll call, please.</p>

<p style="text-align: right;">Page 10</p> <p>1 MS. FIELDS: Mr. Auer. 2 MR. AUER: Yes. 3 MS. FIELDS: Mr. Barton. 4 MR. BARTON: Yes. 5 MS. FIELDS: Mr. Easton. 6 MR. EASTON: Yes. 7 MS. FIELDS: Mr. Hirshey. 8 MR. HIRSHEY: Yes. 9 MS. FIELDS: Mr. Kinder. 10 MR. KINDER: Yes. 11 MS. FIELDS: Mr. Mason. 12 MR. MASON: Yes. 13 MS. FIELDS: Mr. Munson. 14 MR. MUNSON: Yes. 15 MS. FIELDS: Mr. Sims. 16 MR. SIMS: Yes. 17 MS. FIELDS: Dr. Hammon. 18 CHAIR HAMMON: Yes. 19 MS. FIELDS: Motion passed. 20 CHAIR HAMMON: Thank you. 21 We can move on to Item B. 22 THE WITNESS: The next item on today's 23 agenda -- 24 CHAIR HAMMON: Hold on, we're missing one. 25 MS. FIELDS: Mr. Griesel, I missed --</p>	<p style="text-align: right;">Page 11</p> <p>1 MR. GRIESEL: Yes. 2 MS. FIELDS: Thank you. 3 CHAIR HAMMON: Sorry, Dave. 4 Now you may move on to Item B. 5 MS. LODES: Okay. Next item on today's agenda, 6 Item B is Subchapter 13, Open Burning. The department is 7 proposing to amend OAC 252:100-13, Open Burning, to 8 confirm the department's rules to statutory changes 9 enacted in the 2021 legislative session. 10 Senate Bill 246 for 2021 changed 27A Oklahoma 11 Statute 2-5-130 to only require an air curtain 12 incinerator be used in counties or areas within a county 13 that are or have been designated non-attainment or where 14 an air quality monitor has documented a violation of the 15 national ambient air quality standards or those counties 16 with a population of greater than 500,000. 17 The gist of this rulemaking is to implement the 18 above-mentioned statutory changes to restrict the areas 19 where an air curtain incinerator is required for land 20 clearing operations or the burning of clean wood waste or 21 yard brush. 22 Notice of proposed rule changes was published via 23 "The Oklahoma Register" on September 15th, 2021. A 24 written comment was received from the EPA prior to the 25 October 20th, 2021, Air Quality Advisory Council meeting.</p>
<p style="text-align: right;">Page 12</p> <p>1 The comment requested the DEQ provide a 2 demonstration of how the rules meet the Clean Air Act 3 Section 110(l), for ensuring attainment of the NAAQS. 4 This demonstration will be included in the State 5 Implementation Plan submittal after the rule becomes 6 effective. 7 The council unanimously approved the proposed 8 changes at the October meeting. As chair of the Air 9 Quality Advisory Council, I recommend that the board 10 adopt the proposed revisions to Chapter 100-13 as 11 permanent rules. 12 CHAIR HAMMON: Thank you, Laura. 13 Any questions or comments from the board? 14 MR. SIMS: Sims. What counties would this 15 affect? 16 MS. LODES: Really, I think the only one with a 17 population greater than 500,000 would probably be 18 Oklahoma County. I don't know that -- does Tulsa County 19 actually -- Tulsa would be the other potential county. 20 MR. MASON: Mason. Does this create more 21 restrictions in Oklahoma County than the present rules? 22 MS. LODES: No. 23 MR. MASON: Okay. Thank you. 24 MS. LODES: It used to be the entire 25 metropolitan statistical area, and they carved it down to</p>	<p style="text-align: right;">Page 13</p> <p>1 just the county with a population greater than 500,000. 2 CHAIR HAMMON: Any other questions or comments 3 from the board? 4 MR. HIRSHEY: So does it define what "clean" 5 is? I'm just curious. 6 MS. LODES: I do believe -- which I don't have 7 my binder with me -- we have a definition of clean wood 8 waste in the Chapter 100 rules. And it's going to be 9 wood waste that -- 10 MR. HIRSHEY: It's limited to wood. 11 MS. LODES: Yes, it's limited to wood. 12 It's not going to be a mixture of construction 13 debris and everything else. This is really for land 14 clearing. 15 MR. SIMS: Sims. Make a motion we approve. 16 MR. GRIESEL: Griesel second. 17 CHAIR HAMMON: All right. Before we go there, 18 can I ask if there are any questions or comments from the 19 general public? 20 Hearing none, we have a motion and a second. 21 Quiana, will call roll. 22 MS. FIELDS: Mr. Auer. 23 MR. AUER: Yes. 24 MS. FIELDS: Mr. Barton. 25 MR. BARTON: Yes.</p>

<p style="text-align: right;">Page 14</p> <p>1 MS. FIELDS: Mr. Easton. 2 MR. EASTON: Yes. 3 MS. FIELDS: Mr. Griesel. 4 MR. GRIESEL: Yes. 5 MS. FIELDS: Mr. Hirshey. 6 MR. HIRSHEY: Yes. 7 MS. FIELDS: Mr. Kinder. 8 MR. KINDER: Yes. 9 MS. FIELDS: Mr. Mason. 10 MR. MASON: Yes. 11 MS. FIELDS: Mr. Munson. 12 MR. MUNSON: Yes. 13 MS. FIELDS: Mr. Sims. 14 MR. SIMS: Yes. 15 MS. FIELDS: Dr. Hammon. 16 CHAIR HAMMON: Yes. 17 MS. FIELDS: Motion passed. 18 CHAIR HAMMON: All right. Thank you. 19 Laura, you may proceed with Item C. 20 MS. LODES: Item C on today's agenda is 21 Subchapters 8, 37, and 39. The Department is proposing 22 to make revisions in Subchapters 8, 37, and 39 as part of 23 the Department's review of Chapter 100 in response to 24 Governor Stitt's Executive Order 2020-03. 25 The Department is proposing to correct the rule and</p>	<p style="text-align: right;">Page 15</p> <p>1 statute references in OAC 252:100-8-36.1 to the proper 2 legal form. The Department is proposing to add an 3 exemption to OAC 252:100-37-16(c) to formalize the 4 Department's interpretation that natural gas compressor 5 stations are not considered loading facilities for the 6 purposes of this section. 7 In OAC 252:100-39-45, the Department is proposing to 8 correct the approval process for facilities that 9 incinerate petroleum solvent dry cleaning filters and to 10 remove the outdated compliance schedule. 11 The gist of this rule proposal and the underlying 12 reason for the rulemaking is to remove outdated rule 13 language and/or provide regulatory clarity. 14 Notice of the proposed rule change was published in 15 "The Oklahoma Register" on May 3rd, 2021. The Department 16 received no comments prior to or during the June 16, 17 2021, Air Quality Advisory Council meeting. The Council 18 unanimously approved this proposal at its June meeting. 19 As chair of the Air Quality Advisory Council, I 20 recommend that the Board adopt the proposed revisions to 21 Chapter 100, Subchapter 8-36.1, Subchapter 37-16, and 22 Subchapter 39-45 as permanent rules. 23 CHAIR HAMMON: Thank you. 24 Any questions or comments from the board? 25 Hearing none, questions or comments from the general</p>
<p style="text-align: right;">Page 16</p> <p>1 public? 2 All right. Do I have a motion? 3 MR. HIRSHEY: Hirshey. Move that we accept as 4 noted. 5 MR. BARTON: Barton second. 6 CHAIR HAMMON: I have a motion and a second. 7 Quiana, roll call, please. 8 MS. FIELDS: Mr. Auer. 9 MR. AUER: Yes. 10 MS. FIELDS: Mr. Barton. 11 MR. BARTON: Yes. 12 MS. FIELDS: Mr. Easton. 13 MR. EASTON: Yes. 14 MS. FIELDS: Mr. Griesel. 15 MR. GRIESEL: Yes. 16 MS. FIELDS: Mr. Hirshey. 17 MR. HIRSHEY: Yes. 18 MS. FIELDS: Mr. Kinder. 19 MR. KINDER: Yes. 20 MS. FIELDS: Mr. Mason. 21 MR. MASON: Yes. 22 MS. FIELDS: Mr. Munson. 23 MR. MUNSON: Yes. 24 MS. FIELDS: Mr. Sims. 25 MR. SIMS: Yes.</p>	<p style="text-align: right;">Page 17</p> <p>1 MS. FIELDS: Dr. Hammon. 2 CHAIR HAMMON: Yes. 3 MS. FIELDS: Motion passed. 4 CHAIR HAMMON: Okay. Thank you. 5 We will now move into the rulemaking Item D. 6 MS. LODES: Item D, Subchapter 8, Permits for 7 Part 70 Sources and Major New Source Review Sources. The 8 Department is also proposing to amend source obligation 9 provisions for facilities subject to prevention of 10 significant deterioration in OAC 252:100-8-36.2 to more 11 closely align with Oklahoma's rules with the U.S. 12 Environmental Protection Agency rules in 40 CFR Section 13 51.166(r). 14 This proposed rulemaking is in response to requests 15 from industry to add the "reasonable possibility" 16 provision. The gist of the proposed rules and underlying 17 reasons for the revisions are to make Oklahoma's PSD 18 source obligation provisions more similar to EPA's 19 provisions, thereby reducing the recordkeeping burden on 20 Oklahoma's permitted facilities. 21 Notice of proposed rule changes was published in 22 "The Oklahoma Register" on May 3rd of 2021. The 23 Department received one verbal comment during the 24 June 16, 2021, Air Quality Advisory Council meeting. 25 The comment, made by a representative of Altamira,</p>

<p style="text-align: right;">Page 18</p> <p>1 who originally requested the addition, was in support of 2 the rulemaking. The council unanimously approved the 3 proposal at its June meeting. 4 As chair of the Air Quality Advisory Council, I 5 recommend that the board adopt the proposed revisions to 6 Chapter 100, Subchapter 8-36.2 as permanent rules. 7 CHAIR HAMMON: Thank you, Laura. 8 Questions or comments from the board, please. 9 Any questions or commented from the general public? 10 Hearing none, do I have a motion? 11 MR. MUNSON: Munson moves to approve. 12 MR. EASTON: Easton seconds. 13 CHAIR HAMMON: Quiana, can I have roll call. 14 MS. FIELDS: Mr. Auer. 15 MR. AUER: Yes. 16 MS. FIELDS: Mr. Barton. 17 MR. BARTON: Yes. 18 MS. FIELDS: Mr. Easton. 19 MR. EASTON: Yes. 20 MS. FIELDS: Mr. Griesel. 21 MR. GRIESEL: Yes. 22 MS. FIELDS: Mr. Hirshey. 23 MR. HIRSHEY: Yes. 24 MS. FIELDS: Mr. Kinder. 25 MR. KINDER: Yes.</p>	<p style="text-align: right;">Page 19</p> <p>1 MS. FIELDS: Mr. Mason. 2 MR. MASON: Yes. 3 MS. FIELDS: Mr. Munson. 4 MR. MUNSON: Yes. 5 MS. FIELDS: Mr. Sims. 6 MR. SIMS: Yes. 7 MS. FIELDS: Dr. Hammon. 8 CHAIR HAMMON: Yes. 9 MS. FIELDS: Motion passed. 10 CHAIR HAMMON: Thank you, Laura. 11 MS. LODES: Thank you. Appreciate the hard 12 work. 13 Moving on to Item 6, I'd like to welcome Rob 14 Singletary to the podium. Rob is chief of staff for the 15 DEQ. Rob will give us the annual Environmental Quality 16 Report. 17 MR. SINGLETARY: Madam Chair, members of the 18 board, good morning. For the record, my name is Rob 19 Singletary, and I'm chief of staff here at the DEQ. 20 As you probably recall, every year we are required 21 as an agency to submit a copy of the Environmental 22 Quality Report to the Governor's office and to the 23 Legislature by January 1 of each year. 24 So we typically try and bring a copy of that 25 Environmental Quality Report to the board at the November</p>
<p style="text-align: right;">Page 20</p> <p>1 board meeting for you-all's consideration. So that's 2 what I'm going to be presenting today. 3 So the Environmental Quality Report is broken up 4 into three different segments. One is our budget 5 request, which will really be just review of what we 6 covered during the last board meeting back on 7 September 14th. 8 Then I'll go through some federal mandates that have 9 come through since the last Environmental Quality Report, 10 and then I'll talk about a couple of legislative 11 recommendations that the agency has. 12 First up, budget request. Again, during the 13 September 14th DEQ meeting, the board authorized DEQ to 14 request just over \$29 million, \$29,610,693, in 15 state-appropriated funds for Fiscal Year 2023. That's 16 says 2022, but it should be 2023. 17 That, of course, includes \$20 million to replace the 18 much discussed DEQ parking garage. So if you subtract 19 out that \$20 million, the 9.6 million, approximately, 20 that we requested in the state request, or the agency 21 budget request, is consistent with what we requested last 22 year, which was just over \$9 million. 23 Federal funding. The non-appropriated dollars that 24 we have federal funding and fee money that we receive 25 from services provided, it's way too early in the process</p>	<p style="text-align: right;">Page 21</p> <p>1 to really be budgeting that, but Kathy Aebischer, when 2 she provides her presentation later this morning, is 3 going to give us some information on the 2022 figures so 4 we can see how that's tracking and give us an idea of 5 where we stand in that regard. 6 That's really all I have on the request since we 7 talked about it in quite a bit of detail during the last 8 meeting. Please, if you have any questions, interrupt at 9 any time. 10 Federal mandates. Today I'm only going to talk 11 about the federal mandates that have either been formally 12 proposed or finalized since the last Environmental 13 Quality Report. 14 There's a lot of things we talked about last year 15 that are kind of ongoing, and there's a heck of a lot of 16 activity at EPA headquarters right now of regulatory 17 activities that are going to occur within the next year 18 or maybe the next two years. Some of those I'll just 19 touch on really briefly. 20 We've got the WOTUS, Waters of the U.S., rule. 21 EPA's indicated that they're going to be changing -- 22 there may be changes to that. There's some discussion 23 about the 401 certification rule, which is also under the 24 Clean Water Act. There's going to be some changes to 25 that.</p>

<p style="text-align: right;">Page 22</p> <p>1 We anticipate a whole lot of changes in regard to 2 PFAS, which I'll get into in a little bit more detail 3 later on in the presentation, but that's all going to be 4 coming in the next few years. 5 There's also discussions about a new particulate 6 matter, National Air Quality Standards, as well as 7 possibly one they're going to revisit for ozones. There 8 may be a new ozone standard we have to contend with as 9 well. 10 And then, of course, we have the Affordable Clean 11 Energy Rule replacement that EPA is kind of bantering 12 about as well. So there's going to be a lot of activity. 13 That's just a few of them. There's a whole lot of 14 activity coming, but that'll be in next year's report. 15 So for this year I'm just going to talk about the 16 things that we've got a formal proposal published in 17 "Federal Register" or that have actually been finalized 18 within the last year. 19 Rest assured we are tracking all of that other 20 federal rulemaking that's going on. As appropriate, we 21 try and remain involved in the development of those 22 rulemakings and provide our comments and input as 23 appropriate as the processes continue. 24 So first up is air quality. We talked about the 25 potential change for a change in the ozone standard.</p>	<p style="text-align: right;">Page 23</p> <p>1 Even without a change, we try and give you guys an update 2 every year on just where we stand with the current ozone 3 standard. 4 We've had a really good year, reduced emissions, but 5 also a great weather pattern. So we've had very few 6 exceedances during this compliance period, and all 7 counties in Oklahoma remain designated as attainment, 8 slash, unclassified, which is exactly what we want them 9 to remain. 10 The next issue is regional haze. Those of you 11 who've been around for a while probably remember the 12 regional haze rule, published by EPA originally in 1999, 13 requires the state submit state implementation plans to 14 return all Class 1 areas in the country to national 15 visibility conditions by the year 2064. 16 We have only one Class 1 federal area in Oklahoma, 17 and it's the Wichita Mountains Wilderness area. We have 18 a potential to impact other Class 1 areas from emissions 19 in Oklahoma and other states, but the only one we have in 20 Oklahoma is the Wichita Mountains. 21 We were required to originally submit a state 22 implementation plan back in the early 2000s. One of the 23 things you have to do is develop a long-term strategy for 24 reducing emissions that impact visibility. 25 And, essentially, we have -- there's a glide path</p>
<p style="text-align: right;">Page 24</p> <p>1 from emissions that were occurring in mid 2000s through 2 what would be necessary in 2024 to get to national 3 visibility conditions. 4 And just to really kind of boil it down, as long as 5 you're on that glide path or that uniform rate of 6 progress over the years to get to the right number by 7 2064, you're typically in pretty good shape. 8 But we're required to resubmit our state 9 implementation plan and update it every ten years. So 10 we're at that point now where we've had to put together 11 another state implementation plan for regional haze. 12 The last one was very controversial. We developed a 13 SIP, it was denied by EPA. There was a lawsuit that went 14 to the Tenth Circuit. Ultimately, cert at the Supreme 15 Court was requested and denied. Came back to the state. 16 We were able to enter into a settlement agreement with 17 all the parties; with the EPA, with regulated industry, 18 with the environmental groups. 19 And out of that settlement, we submitted a revised 20 state implementation plan for regional haze that was 21 approved by EPA. We did it for two different tracts and 22 both of them were approved. 23 So we don't anticipate this version of it being 24 anywhere near this controversial because of switching 25 from coal-fired generation to natural gas and a big part</p>	<p style="text-align: right;">Page 25</p> <p>1 of deplete across the state because of the increase in 2 renewable energy usage across the state. 3 We're in really good shape when it comes to that 4 glide path I mentioned. So we don't anticipate this one 5 being as controversial as long as EPA doesn't try and 6 squeeze additional reductions out of the states, which, I 7 guess, is always possible. 8 But where we are in the process right now is we've 9 got that draft complete. We are in the consultation 10 period with the tribes and the federal land managers, 11 which is part of the process. That should be ending, I 12 believe, this month, maybe next month. 13 Once that's complete, the draft plan will go out for 14 public comment and we'll probably have a public hearing 15 to receive comment as well as written comments during 16 that period. And then, ultimately, that draft will be 17 submitted to EPA for their consideration. So that's 18 where we are on regional haze. 19 The methane rule, this is one also related to air 20 quality that we've been watching. EPA Administrator 21 Regan actually signed it November 1st, so last week. 22 It's expected to be published in "The Federal Register" 23 on the 15th of November, which would start the public 24 comment period. 25 So it's so new we really haven't had a chance to</p>

<p style="text-align: right;">Page 26</p> <p>1 dive into it and get a lot of the details out of it, but 2 some of the things were expecting in it was some 3 increased LDAR leak detection and repair requirements. 4 Also, we anticipated that EPA would get rid of some 5 of the exemptions that were in the existing rule. 6 There's exemptions for low-producing wells, but, anyway, 7 we're about to dive into what was released by EPA last 8 week and evaluate that and see what kind of comments we 9 think are appropriate and get those filed. 10 But with the comment period anticipated to begin 11 November 15th, we wouldn't anticipate a final rule until 12 sometime well into 2022. 13 The last item on the Air Quality list is startup, 14 shutdown, and malfunction emissions. About a month ago 15 EPA issued a guidance memorandum related to emissions 16 that occur during startup, shutdowns, and malfunctions. 17 A lot of times control technology isn't able to reduce 18 those emissions so you have higher emissions during those 19 periods. 20 The Trump administration had issued some guidance 21 back in 2020 that allowed some of those technical 22 challenges to be taken into consideration during those 23 periods. That memorandum has officially been withdrawn 24 now by the current administration, and they've reinstated 25 the 2015 SSM policy that states that since they have</p>	<p style="text-align: right;">Page 27</p> <p>1 permission for affirmative defenses for SSMs, that 2 they're inconsistent with the Clean Air Act and, 3 therefore, they are not approvable. We're trying to 4 figure out exactly what that means for us. 5 We have a SIP that's been submitted to EPA for 6 approval that contains affirmative defenses, but it's 7 many years old. EPA's got a step-back policy so we've 8 not gotten to that to review it. 9 In the meantime, we've submitted the requested state 10 implementation plan, which they haven't ruled on that 11 either. And in the meantime we've got current rules that 12 no longer have affirmative defenses in it even though 13 that's what the SIP submittal that's hanging out there 14 is. 15 Instead, we've got mitigation factors that we can 16 consider. If you have emissions that are in excess of 17 your limits during these periods, you can still be in 18 violation, but it kind of mitigates the consequences 19 resulting from that violation, depending on the factors 20 and how they're satisfied. 21 It's not clear exactly how the current 22 administration would interpret mitigating factors like 23 that, so that's why I say we're not exactly sure how this 24 policy change is going to impact us. But, again, that's 25 another thing we're in the process of evaluating.</p>
<p style="text-align: right;">Page 28</p> <p>1 So the next few items I'm going to mention are -- 2 they actually impact the Water Quality Division, the 3 state lab, and the environmental complaints and local 4 services division. And they're primarily dealing with 5 water and wastewater issues. 6 First one, drinking water, the revised lead and 7 copper rule. We're anticipating that this revised rule, 8 a final rule, is going to be finalized in December of 9 this year. It's expected to modify the sampling for 10 erosion control, inventory placement, mandatory testing 11 in schools, all those requirements. 12 And it's likely to be a significant burden on water 13 supplies within the state. Associated with that would be 14 an increased burden for DEQ staff in all of those 15 divisions. 16 Also, related to drinking water, this an act -- the 17 Water Infrastructure Act of 2018, obviously several years 18 old. There's just a few things that are kind of carrying 19 on. Lead testing in schools and daycares, this isn't 20 actually mandated by the act, but it's optional. 21 And DEQ, along with -- I believe we're working with 22 the Department of Education as well as the Secretary of 23 Energy and Environment's office to do increased testing 24 of gaps, water fountains in schools and daycares across 25 the states. So that continues under this act.</p>	<p style="text-align: right;">Page 29</p> <p>1 Also, as part of this act, community hot water 2 systems that serve more than 3300 people are required to 3 complete risk and resilience assessments and to develop 4 an emergency response plan. So that requirement is still 5 hanging out there. 6 Just a few more drinking water issues. EPA, I 7 guess, really extended and updated a national compliance 8 initiative where, essentially, they're wanting to 9 increase compliance with the primary drinking water 10 standards by 25 percent. That's going to require a lot 11 of time from DEQ staff to provide sampling and technical 12 assistance, especially in smaller systems, but that is an 13 issue that's hanging out there. 14 Consumer Confidence Report rule. This is a rule 15 that requires public water supplies to provide an annual 16 report to their users talking about the quality of the 17 water that they provide them, list out the violations 18 that have occurred. Typically, it's been on an annual 19 basis. 20 The WIIN Act a couple years ago increased that 21 frequency from once a year to twice a year, so EPA is 22 updating their rules to reflect that. And as they 23 evaluate that or try and incorporate that change, they've 24 also included or are considering several other changes, 25 including requiring that those reports be translated into</p>

<p style="text-align: right;">Page 30</p> <p>1 languages, primarily languages that are spoken within the 2 community. 3 So I think there's some discussion about what the 4 cutoff of the primary language is. Is it 10 percent of 5 the population speaks it? 5 percent? 1 percent? But 6 that's something that may be a change for our 7 communities. 8 Also, posting that information to renters and 9 tenants, not just the property owners, is another change. 10 Tenants are going to be the ones consuming water, so 11 that's probably a good change. 12 Providing reports to interested community 13 organizations. Obviously, I'm sure those reports are all 14 public record, but this allows the community 15 organizations to actually request to be put on mailing 16 lists and receive those. 17 We're looking at early -- early 2022 is when EPA 18 says as far as when the proposed rules are going to be 19 out. 20 Small community assistance program. This is a 21 program -- EPA-funded program that is being implemented 22 through our state lab in conjunction with Water Quality 23 Division, and it's just another opportunity where we help 24 provide technical assistance to small communities for 25 sampling and compliance.</p>	<p style="text-align: right;">Page 31</p> <p>1 That last bullet point there, through some other 2 federal funding the state lab was able to acquire a 3 mobile laboratory, which will be great for emergency 4 response-type issues, but also in this type situation 5 we're talking about utilizing it to provide assistance to 6 some of these small communities by being able to take 7 that trailer with that lab, that equipment, out to the 8 facilities or to the communities and doing some 9 laboratory testing and teaching out there. 10 So that takes me to wastewater. This really isn't a 11 federal mandate, but just more of a FYI. Our harmful 12 algal blooms, which is something we're not immune to here 13 in Oklahoma. We actually had a pretty rough start to the 14 year this spring and this summer, but luckily, I guess, 15 the conditions didn't exacerbate it. It didn't get as 16 bad as we were fearing, but we do have issues with these 17 harmful algal blooms across the state. 18 EPA -- OIG issued a report basically discussing the 19 need for EPA to have an agency-wide strategic plan to 20 address these kind of blooms throughout the country. The 21 OIG determined that EPA failed on its 2015 commitment to 22 address -- to come up with health advisories for 23 cyanotoxins when they need to take further action. 24 Essentially, they recommended EPA's strategic action 25 plan to describe how the agency is going to function in a</p>
<p style="text-align: right;">Page 32</p> <p>1 national response, responding to the blooms somehow with 2 a coordinated federal response. So that's really just 3 more of an FYI. There's no mandate or requirement there. 4 This one will likely be a requirement. EPA is 5 looking at some of their ELGs, or effluent liquidation 6 guidelines. So they're reviewing four different 7 categories. And what these are, for those of you not 8 familiar, these are the effluent liquidation guidelines 9 that essentially help inform our discharge permit limits 10 for, like, an OEDS permit, water discharge permit. So 11 they do have an impact on what we do. 12 The most significant of these four is to the PFAS 13 manufacturing, so they're reviewing that and they'll be 14 looking very hard at that. So that could necessitate a 15 lot of changes in permits depending on what they come up 16 with. 17 The next group is miscellaneous because it applies 18 to multiple divisions. PFAS is something we've talked 19 quite a bit about in the last few board meetings. 20 There's definitely a lot of pressure building up from 21 environmental groups, political pressure from Congress on 22 EPA to establish standards related to PFAS. 23 We're talking about drinking water MCLs, wastewater 24 discharge, biosolid groundwater cleanup levels, just 25 standards across the board to address this growing issue.</p>	<p style="text-align: right;">Page 33</p> <p>1 As part of their process to address PFAS, EPA 2 recently, a few weeks ago, issued their PFAS Strategic 3 Roadmap, which lays out the agency's approach to 4 addressing PFAS contamination and includes a bunch of 5 timelines on how they're going to address through various 6 statutes; Clean Drinking Water Act, the Clean Water Act. 7 Different venues, they've got kind of an 8 orchestrated timeline as to how they're going to try and 9 start issuing some regulatory requirements. They've 10 already begun, but kind of their plan going forward. 11 Obviously, any action that comes out of this roadmap 12 is going to require us, when we implement it, to have 13 rulemaking or training that will be done internally and 14 for the regulated community. 15 And there'll likely be additional laboratory 16 equipment that will be necessary. We did recently 17 acquire a very nice piece of laboratory equipment that's 18 going to help analyze PFAS samples. So it's going to be 19 up and running early next year, but there may be a need 20 for more as these requirements continue to be developed. 21 Also in the PFAS front, EPA continues to develop 22 analytical methods or approve analytical methods, and 23 they have started to require -- for permits that they're 24 issuing, storm water permits and EPS permits that are 25 issued by EPA, that PFAS be monitored.</p>

<p style="text-align: right;">Page 34</p> <p>1 And it is possible that they could try and require 2 the state to require that monitoring as well. They 3 haven't as of yet, but we're watching for that. 4 Also, as I mentioned ELGs, we're looking at the 5 effluent liquidation guidelines for PFAS specifically. 6 And then, lastly, the unregulated contaminate 7 monitoring Rule 5 has been published, and it actually 8 requires public water supplies to monitor, starting in 9 January of 2023 through 2025, for 29 different PFAS 10 compounds. 11 The data that comes out of that is likely to be 12 utilized to develop additional MCLs or additional 13 standards that will have to eventually be met by those 14 public water supplies. 15 The last federal mandate I'll mention is the 16 Justice 40. This an initiative. It's not just EPA. 17 It's across the federal government, and it applies to any 18 program that has a loan or a grant component to it. 19 Really, the primary -- what it boils down to is that 20 40 percent of all the benefits from the funding that's 21 received under these programs has to be received by an 22 environmental justice community. 23 The real catch here is, what is an environmental 24 justice community? And that's what we're wrestling with 25 right now. And Jennifer Boyle and other folks are</p>	<p style="text-align: right;">Page 35</p> <p>1 focused on trying to get their hands around that. 2 If rural Oklahoma counts as a environmental justice 3 community, then, you know, that's great. We'll have 4 funding that can help with some of the infrastructure 5 needs there. We'll just have to wait and see how that 6 works out. 7 The first three pilot programs that this applies 8 to -- clean water, state revolving funds, safe drinking 9 water -- are under the Rural Development Program. So all 10 of these, DEQ is either directly involved with or 11 indirectly involved with. So it definitely impacts what 12 we do as an agency across the state. 13 So that's it on the federal mandates. Any 14 questions? 15 Yes, Mr. Mason. 16 MR. MASON: To total all this up, like the 17 revised lead and copper rule is 12 to 13 more staff. 18 Whatever comes out of American water infrastructure and 19 this PFAS, we need like 40 to 50 more employees. 20 MR. SINGLETARY: Not just needing 40 more 21 employees, but there's a lot of industry folks out there 22 who've taking advantage of this infrastructure funding 23 coming through and they're needing people to work in 24 these fields as well, so they're looking at our staff. 25 So it's not only needing additional employees, but</p>
<p style="text-align: right;">Page 36</p> <p>1 maintaining or retaining the ones that we have. 2 MR. MASON: Within our budget, how could you 3 afford 40, 50 new employees if all this happens? 4 MR. THOMPSON: Scott Thompson, executive 5 director. We can't. So some of the funding that comes 6 from the federal government can be directed different 7 ways and used for that purpose, but that's part of some 8 of the stuff on -- Kathy may have more on some of the 9 turnover we're having recently; essentially, folks -- 10 some of our senior staff. 11 It's very critical that we maintain the high quality 12 folks that we have to be able to process all these permit 13 applications and changes and projects that will be coming 14 in for review so that we can make sure the money is well 15 spent and is actually going to achieve the end point of 16 the folks who are spending the money or borrowing the 17 money and getting grant need down. That's always the 18 case. 19 We do have a good partnership with the Oklahoma 20 Rural Water Association and we do a lot of projects with 21 them, and they're out there working with some of these 22 systems directly with tribes to try to facilitate as much 23 good as we can. 24 And Secretary Wagner is working with a lot of folks 25 trying to coordinate some efforts, but, you know, it</p>	<p style="text-align: right;">Page 37</p> <p>1 remains to be seen what EPA actually puts in place when a 2 lot of these things they're putting on the table, they 3 have not spoken to the specifics of exactly when that 4 will be implemented, how it will be done, because, 5 especially with PFAS, there's a lot of challenges in how 6 to possibly implement some of the things that they're 7 asking for. 8 And one thing we probably ought to do is -- I don't 9 know if we shared the letter -- the comment letter on 10 PFAS that we sent to EPA? 11 MR. SINGLETARY: We haven't shared those with 12 the board, but I'd be happy to. 13 MR. THOMPSON: It's very similar to what EPA is 14 doing because we were focused on what can EPA actually 15 do, not can you just wish that PFAS didn't exist across 16 the board, because there's thousands of compounds, and 17 I'll go into that more later. 18 But, yeah, we -- we will definitely have some needs 19 in terms of being able to do all the work. How that will 20 be funded is not clear. 21 MR. KINDER: So all of these proposals, I 22 didn't hear you say anything about EPA maybe, you know, 23 funding some of this. Has that been in the conversation 24 at all? 25 If the EPA on these proposals that, now, some of</p>

<p style="text-align: right;">Page 38</p> <p>1 this is going to be funded, or these mandates -- really, 2 the cost of these mandates haven't really been talked 3 about federally? 4 MR. SINGLETARY: As far as I know, I believe 5 that the way the EPA generally approaches it is they 6 would expect states to essentially increase fees to allow 7 them to manage their programs as appropriate. 8 They don't realize the difficulties associated with 9 that, so there's no -- there's no money that goes along 10 with these additional mandates. 11 MR. KINDER: I believe the popular phrase is 12 "unfunded mandates." Thank you. 13 MR. THOMPSON: I would clarify that a little 14 bit. There's the -- what do we call that? -- American 15 Restoration Plan money that's out there. And then 16 there's some infrastructure money that looks like it's 17 coming. So there's going to be substantial funding there 18 for the state and for tribes. 19 And so how that all gets spent and how we can use 20 some of that is kind of questionable. Some of the 21 criteria that was put forth early made it look like it 22 was going to be difficult to use. And, again, some of 23 it's going to be how does EPA define what Justice 40 24 means. 25 I know Secretary Wagner has had discussions with</p>	<p style="text-align: right;">Page 39</p> <p>1 Administrator Regan at the EPA. He comes from a small 2 town in North Carolina, and so he's very sympathetic to 3 the fact that, you know, many of our communities that 4 need this environmental justice sort of help with 5 funding, et cetera, projects are small, rural, and 6 disadvantaged communities and especially economically 7 disadvantaged communities. 8 So I think it remains to be seen how much of that 9 money can go where, but some of those funds are much 10 broader than what DEQ addresses and are going to be used 11 in a lot of other ways. So how much money is actually 12 going to come to us to work on these projects is not 13 clear yet. 14 CHAIR HAMMON: Are there any other questions 15 from the board? 16 MR. SIMS: Back to the air quality part of your 17 report, the contamination from the Wichita Mountain area, 18 what's the source of that contamination? 19 MR. SINGLETARY: Typically, there's -- the way 20 the statute and the rule, I should say, EPA's rules and 21 regulations define what subject sources are, the sources 22 that are actually subject. Typically, it's going to be, 23 you know, your power plants across the state have the 24 most impact. Could be other facilities, but it's going 25 to be large emitting facilities that are impacted.</p>
<p style="text-align: right;">Page 40</p> <p>1 MR. SIMS: I live on the north edge of that 2 Wichita Mountain Wildlife Preserve. That's a federal 3 property, a game preserve, and they have programs in the 4 spring where they burn a lot of that off. And, of 5 course, we get a lot of that contamination. 6 And I think they do try to do a good job of picking 7 the right weather conditions to do it, where it's not 8 detrimental to the neighbors to the north, which we are, 9 but sometimes they inundate us pretty severely. 10 MR. SINGLETARY: Particulate matter along with 11 PM NOX, those are pollutants of concern. They're the 12 ones that impact visibility. 13 MR. SIMS: That is a federal facility. It's 14 probably a little harder to deal with the control about 15 some of those issues, I suppose. 16 MR. THOMPSON: Rob, you might speak on how 17 pollution from other states could impact that and how the 18 rules are -- or what limitations we have to deal with. 19 Some of that's coming across the border. 20 MR. SINGLETARY: I think that's a great point, 21 especially down there. There's a huge impact from North 22 Texas and the air pollution generated down there just 23 with prevailing winds and when we have visibility issues. 24 Conversely, they say we have potential to impact 25 other states, but obviously emissions in Oklahoma are</p>	<p style="text-align: right;">Page 41</p> <p>1 going to be much smaller than those in the Dallas 2 metroplex area. And we're actually impacted by Houston 3 issues up here in Oklahoma as well. 4 So there are things that we -- there's nothing we 5 can do about. We can't control what's going on in these 6 other states, but it has the potential to impact 7 visibility here in Oklahoma and just air quality in 8 general. It's always been a contention between the 9 states. 10 CHAIR HAMMON: Questions from the board? 11 All right. Before Rob moves on to the legislative 12 recommendations, do we have any questions or comments 13 from the public? 14 (No response.) 15 CHAIR HAMMON: All right. Rob, I'll let you 16 proceed to those legislative recommendations. 17 MR. SINGLETARY: So this year we have two 18 legislative recommendations. One, again, is similar to 19 our recommendation from last year, and that's a PFAS 20 waste disposal bill. 21 What we're really concerned with there is ensuring 22 that facilities that accept PFAS waste for disposal, that 23 they have the capacity and the ability to actually 24 appropriately destroy that or dispose of that PFAS 25 appropriately. So we'd like to have some kind of</p>

<p style="text-align: right;">Page 42</p> <p>1 requirement that they make a demonstration that they can 2 do that before they receive that PFAS designated waste. 3 And then kind of one of the last bullet points there 4 is related to another concern we have, that Oklahoma not 5 become a dumping ground for PFAS generated in other 6 states. 7 There are other states that are being very 8 aggressive at the state level in designating PFAS as 9 hazardous substances and, you know, kind of making it 10 very difficult to dispose of that waste within their 11 state. We don't want all that to come to Oklahoma and 12 just get dumped in a subtitle D landfill or something. 13 So one thing we were looking at as far as part of 14 the piece of legislation is to require that any waste 15 that's generated from another state at the very least 16 maintain its classification that it had in the state of 17 origin. 18 So if it's considered hazardous waste or required 19 some kind of special treatment in the state of origin, 20 then that would come with it to Oklahoma so it would have 21 to be treated appropriately once it got here, if it did 22 come to Oklahoma. Those are the two big concerns there. 23 Any questions on that one? 24 The next one is related to water quality standards. 25 What we would be seeking in this bill would be authority</p>	<p style="text-align: right;">Page 43</p> <p>1 for DEQ to essentially permit a compliance plan through 2 our discharge permitting process for water quality 3 standards. 4 Right now there's a variance process in the water 5 board's regulations that's available, but it's like a 6 rulemaking process, it's very difficult to get through. 7 What we'd like to do is have the authority, for 8 situations where it would be appropriate, to -- say you 9 have a facility that's got an existing permit that 10 they're operating under, it's time to get a renewal 11 permit, but the water quality standards have changed and 12 are much stricter now, so they cannot at the current time 13 meet that standard, but they can reduce the amount of 14 pollutants that they're discharging. 15 We'd like to be able to issue a permit that gave 16 them a phased-in compliance schedule so that we could 17 increase the controls and reduce the amount of pollution 18 going into the waterway but still give them time to get 19 into compliance with the actual water quality standards. 20 We'd like to have that as one of our tools for 21 permitting, give us a little bit more flexibility with 22 those facilities. Instead of having them operate under 23 their existing permit indefinitely, give them that 24 opportunity to potentially improve the watershed until 25 they can meet the water quality standards.</p>
<p style="text-align: right;">Page 44</p> <p>1 That's the end of my presentation, so ... 2 MR. THOMPSON: Rob, I'd like to add on to that 3 last one. That's based on some regulations that are 4 available under law, so just taking advantage of existing 5 rules. 6 MR. SINGLETARY: We're just asking that it be 7 explicitly stated in our statute that we could do that, 8 exactly. 9 CHAIR HAMMON: Any questions or comments from 10 the board? 11 Questions or comments from the public? 12 At this point the Environmental Quality Board is 13 authorized to review or amend as necessary and/or 14 approve. So do I have an action? 15 MR. MUNSON: Munson moves for approval. 16 CHAIR HAMMON: Do I have a second? 17 MR. GRIESEL: Griesel seconds. 18 CHAIR HAMMON: Thank you. 19 I have a motion for approval, and a second. 20 Quiana, could I get a roll call. 21 MS. FIELDS: Mr. Auer. 22 MR. AUER: Yes. 23 MS. FIELDS: Mr. Barton. 24 MR. BARTON: Yes. 25 MS. FIELDS: Mr. Easton.</p>	<p style="text-align: right;">Page 45</p> <p>1 MR. EASTON: Yes. 2 MS. FIELDS: Mr. Griesel. 3 MR. GRIESEL: Yes. 4 MS. FIELDS: Mr. Hirshey. 5 MR. HIRSHEY: Yes. 6 MS. FIELDS: Mr. Kinder. 7 MR. KINDER: Yes. 8 MS. FIELDS: Mr. Mason. 9 MR. MASON: Yes. 10 MS. FIELDS: Mr. Munson. 11 MR. MUNSON: Yes. 12 MS. FIELDS: Mr. Sims. 13 MR. SIMS: Yes. 14 MS. FIELDS: Dr. Hammon. 15 CHAIR HAMMON: Yes. 16 MS. FIELDS: Motion passed. 17 CHAIR HAMMON: Thank you. 18 Thank you, Rob, for your presentation. 19 Next on the agenda, Item 7, is the executive 20 director's report, so I will ask Scott Thompson, our 21 executive director, to present that. 22 MR. THOMPSON: I don't have a PowerPoint, so. 23 All right. We have initiated rule reduction efforts 24 and we began implementation of our five-year strategic 25 plan, Leading The Way, in July of 2018. One of the tasks</p>

<p style="text-align: right;">Page 46</p> <p>1 was to systematically review all the state statutes 2 directly relevant to or implemented by the agency and 3 just check to make sure whether any of the rules need 4 clarification, streamlining, or elimination. 5 On February 20th of 2020, Governor Stitt issued an 6 executive order, basically, to do that across the board 7 for state agencies. So we started internal workgroups to 8 review all of our rules. 9 We've been through historical attempts to update, 10 correct, and modify our rules in the past. So we had 11 done this a couple of times, at least, so some of the 12 low-hanging fruit was gone, but there's still some out 13 there. 14 And these workgroups identified 153 DEQ rules that 15 were either cost ineffective, duplicative, outdated, or 16 unnecessary, so we have breakdowns of that. So four were 17 too costly, 26 were negative, 29 are duplicative, and 88 18 are outdated. And 77 are completely unnecessary, 19 probably don't make sense in today's world compared to 20 whenever they were passed. Might have made a lot of 21 sense then. 22 So as of September this year, we had amended or 23 eliminated 22 subsections in one appendix and we're in 24 the process of amending or eliminating four subsections. 25 We're working with the legislature and stakeholders to</p>	<p style="text-align: right;">Page 47</p> <p>1 develop legislation to further reduce some of the 2 unnecessary regulatory burden. 3 Now, one of the things that we've done through 4 Secretary Wagner is make sure that the governor's office 5 understands there's a limit to what we can change in our 6 regulations because we adopt federal regulations and 7 implement those. 8 And we're one of the top states, I think, that 9 adopts those very quickly, and so we can't change that, 10 that federal component. We have to comply with that. So 11 there's a -- the percentage of our rules that are 12 available to change are much smaller than, say, some 13 agency that doesn't implement federal regulations in the 14 same way. 15 And so I think there's an understanding that we're 16 trying to do what we can to make things make more sense, 17 work better, but we're not going to necessarily achieve 18 25 percent across the board, especially since we've gone 19 through them a couple of times over the years and done 20 similar things to our rules. 21 So then we've talked about PFAS and the PFAS action 22 plan. EPA came out recently with a response to a 23 petition by the governor of New Mexico, which we also 24 commented on, to make PFAS hazardous waste. And, you 25 know, again, many of our comments are essentially similar</p>
<p style="text-align: right;">Page 48</p> <p>1 to EPA proceedings. 2 It was a request to make all PFAS hazardous waste at 3 once, which is not realistic. Again, there's thousands 4 of these compounds. We're all probably wearing clothing 5 that's stain resistant or fire retardant. On most of the 6 materials in buildings like this, we try to make sure we 7 don't die of smoke inhalation or from fire. 8 And so you know, we have to have things that will 9 replace that effectively, and these things are out in 10 products. And, generally, EPA regulates waste, not 11 products. 12 EPA can affect products through Toxic Substance 13 Control Act, which was one of our recommendations. 14 That's the way to get stuff out of the product stream in 15 the first place, so you can imagine. 16 But EPA's talking between passing a couple of water 17 quality standards for drinking water, which, you know, 18 that's fine. As they do that, we'll adopt those and 19 implement those. Those are primarily for compounds that 20 are not in use currently. 21 But there's -- EPA has issued a timeline for when 22 they're going to undertake some of these standards and do 23 things like that, but, unfortunately, again, they're 24 pushing disposal guidelines and disposal technology to 25 the end.</p>	<p style="text-align: right;">Page 49</p> <p>1 So they're not planning to come out with that until 2 2023, but they are going to pass standards this year or 3 set up guidelines on how to manage this stuff, or for 4 maybe drinking water systems or wastewater systems, 5 et cetera, to try to comply, although the actual 6 compliance schedules may be stretched years out. 7 But they have not vetted disposal, and so some of 8 the disposal methods that are out there, we can't manage 9 all the solid waste because there's got to be some grade 10 of PFAS in almost any waste stream we have these days. 11 But we can target specific compounds that are the 12 worst actors as we go through some of the intended 13 regulation. So as that develops, we will work with them 14 and adopt that. And we are getting the capacity to do 15 some of that testing ourselves. 16 We also have been waiting on EPA to do the 17 uncontaminated -- the next phase of uncontaminated -- 18 unregulated contaminate monitoring rule. We are 19 introducing PFAS testing of bigger systems. 20 But I work on the Environmental Research Institute, 21 so I meet with the EPA research folks at least couple 22 times a year, sometimes more. The last couple years have 23 mostly been virtual, so -- but we talked about a lot of 24 stuff. 25 As of last year they were telling me they weren't</p>

<p style="text-align: right;">Page 50</p> <p>1 clear on how people were talking about doing all this 2 detection of PFAS in some of these dirtier media like 3 wastewater sludges, et cetera. 4 They're still working on clean drinking water 5 testing, which is much easier to see at these extremely 6 low levels that people are pushing. And that's part of 7 the issue is the low parts-per-trillion detection limits 8 we're trying to achieve are very difficult in the real 9 world. And so, anyway, you could have a high potential 10 for cross-contamination. 11 OSU is developing sampling methodologies for us 12 based on clean sampling from a lot of other places, so 13 we're going to put that out there. And it'll open your 14 eyes, if you read that, to all the things you can't wear; 15 you know, makeup, all the things we have to do to handle 16 samples in the field, to move samples to a laboratory and 17 get an accurate analysis. 18 And I'm sure that many of the earliest samples of 19 this across the country were somewhat questionable at 20 these low levels because much of the laboratory equipment 21 or even your water purification system for your -- water 22 had PFAS components in it. It's almost impossible. 23 A professor from OSU gave a speech or a talk the 24 other day at the EFO conference, and he said that he 25 believed, based on early data, a thousand (inaudible) was</p>	<p style="text-align: right;">Page 51</p> <p>1 enough to break these compounds, which there's very few 2 incinerators in the country that achieve that for a 3 reasonable limit of 3 to 5 seconds or so to try to break 4 these compounds. 5 He said now that's looking like it's 1400 to 2500 6 (inaudible), which is the equivalent of melting a Sherman 7 tank. So actual destruction of these compounds is going 8 to be very, very difficult and extremely costly. 9 And so it really has to be staged in terms of how 10 you can truly implement the kind of regulation and 11 practical application, how can local governments possibly 12 continue to operate and comply with the rules that come 13 out. 14 And I think it's -- as things get real, EPA will 15 modify their approach to not try to crash the whole 16 system, so -- but it's going to be very challenging and 17 it's going to take a long time to deal with this issue. 18 So as that develops, we'll keep you guys informed 19 and put as much information out there as we can, and 20 offer as much assistance to a lot of the local 21 governments and systems and anybody who needs it with 22 trying to understand what requirements exist and how to 23 best to go about dealing with them. 24 In the meantime, I'm still going to try to support a 25 bill limiting the disposal of certain high levels of PFAS</p>
<p style="text-align: right;">Page 52</p> <p>1 in facilities that probably really can't manage it, and 2 to try to adapt responsibility on the generators so that 3 they have to sort of demonstrate to us that this 4 management is going to be effective before we're stuck 5 with it in Oklahoma forever and ever at some of our 6 facilities. So we'll see if we can get that through. 7 But the industry took note of it last year and so we 8 got a lot of good interaction with some of the facilities 9 calling us ahead of time and talking about waste streams 10 that they make, that people are trying to send to them. 11 Some of those waste streams get turned away, so that's 12 good. 13 So, also, our state laboratory did manage to acquire 14 a high-performance liquid chromatograph, triple 15 quadrupole mass spectrometer. That's basically going to 16 be used to analyze PFAS and support that UCMR 5 rule by 17 EPA to try to start testing for PFAS in drinking water 18 systems and see where we stand. 19 Again, the facilities in Oklahoma have done some 20 testing, so we have some information. Most of their 21 sources at major airports are sources from firefighting 22 foams that were used. 23 The FAA still requires people to test with the foam 24 frequently and fill up hangers with this foam, and then 25 you have several feet of this stuff. And it's generally</p>	<p style="text-align: right;">Page 53</p> <p>1 just washed out of the hanger because what else can you 2 do. 3 And so I think there's some high-level talk to try 4 to get FAA to fix those rules, and I know in some places 5 they're using water instead of foam, but some of those 6 rules were probably written to favor foam manufacturers 7 so they can continue to sell foam over and over and over, 8 but anyhow. 9 So there's a lot of challenges there and testing for 10 these compounds is going to take up quite a bit of time 11 because we have to develop proficiency and then we have 12 to be able to verify that laboratories that run it are 13 circulating it right and their data is good. 14 And another item of Dr. (inaudible)'s presentation 15 was how much of the data he's seen that people were 16 paying substantial amounts of money for is really not 17 very accurate. 18 If the lab is trying to do too many samples, too 19 many (inaudible), those are very expensive. And if they 20 skip a test or two, you can get a hot sample and you get 21 a lot of false positives. 22 You could also get cross-contaminants from PFAS 23 compounds that are not targeted, that might show up and 24 sort of confuse the issue as to whether one is targeted, 25 say, for a specific standard, if it's what you're</p>

<p style="text-align: right;">Page 54</p> <p>1 actually seeing or not. And so this could create a lot 2 of the cost for -- you know, especially for public 3 systems out there trying to comply with these rules. 4 And so we're going to do our best to make sure that 5 the data that we can generate, that the laboratories in 6 Oklahoma are generating is high quality, so that we can 7 make good decisions because we cannot make effective 8 decisions with bad data and we'll cause lots of problems. 9 The lab should be congratulated for coming up -- in 10 the water quality division for coming up with the funding 11 initiative through the (inaudible) drinking water state 12 water quality program. The cost of the instrument was 13 \$400,000. So that's better than I was told it was going 14 to be a couple years ago. And we didn't have to go out 15 and try to get appropriation for that. So that was good. 16 So they've done a great job at getting that. They 17 got some help from the State of New Mexico. I think the 18 environmental secretary of New Mexico, through their 19 assistance to our lab, is helping identify the best 20 equipment to buy the quickest, so that was great. 21 And so, you know, QMES is starting something that 22 has been tried in the past. It's a new effort of a 23 similar nature that's called Performance-Informed 24 Budgeting, an initiative by QMES to improve efficiency 25 and effectiveness by linking funding for state programs</p>	<p style="text-align: right;">Page 55</p> <p>1 to results they deliver. 2 We have tried to track performance outcomes on, you 3 know, things that we do and ways we spend money. And 4 this a new way to do it, but historically we had too many 5 performance measures, and the system that was originally 6 created a few years back could only handle a few. So we 7 had to pick a few and we've tried to keep tracking those. 8 But I think this newer thing will be a little more 9 robust, so the key is to try to get people to understand 10 what's real, how to measure things that really make a 11 difference, and explain it to folks instead of it being 12 just jammed in sort a category that's not really clear 13 and may or may not demonstrate actual progress or how 14 much of an outcome you're having with that money. 15 But, you know, QMES is really trying to improve 16 their processes and systems, and so we're very happy with 17 the new management there in terms of really trying to 18 make things work. So we're going to work with them very 19 closely to try to make it an efficient program and 20 demonstrate how much good we're doing out there with the 21 funding. 22 Again, a parking garage update. We had another 23 review by an engineer in mid October. Had to close 16 24 additional spaces. That makes 43 percent of the parking 25 spaces in the garage are now closed off and not useable.</p>
<p style="text-align: right;">Page 56</p> <p>1 And that, generally, if there's an area of concern, it's 2 below, so that includes some of those. So we cannot use 3 like 139 out of 324 spaces currently. 4 So we've leased some additional space from a church 5 across the street and we're working on some issues and 6 options there. Secretary Wagner is doing some talking 7 about trying to help find a solution one way or the other 8 on that, and so we're going to continue to visit with the 9 legislature. 10 We had lots of work last year, we didn't quite get 11 there in terms of trying to figure out a solution for 12 this, but if it gets much worse, we'll be closing the 13 garage and we will be telecommuting the vast majority of 14 our staff. 15 Folks who can't telecommute -- lab, financial 16 folks -- will be in the central office, but I'd much 17 rather -- hopefully, when we get through Covid times, 18 we'll go back to where, you know, most of our staff's in 19 the building. 20 We're going to telework more than we ever have in 21 the past routinely, but I still think it's much better 22 for people to be together in person, especially for the 23 younger staff to learn from the more experienced staff, 24 et cetera, and to be able to serve the public better, but 25 we'll see how that goes.</p>	<p style="text-align: right;">Page 57</p> <p>1 And then it was mentioned that the turnover rate is 2 very high. These days, because our staff are really good 3 and highly valuable, people are willing to pay way more 4 than we can, but we're going to try to do what we can to 5 fix some of that and to retain staff. 6 We'll probably visit with you about that next time. 7 And some of those turnover rates that Kathy reported out 8 were that, you know, in all of 2019 we had 48 folks 9 either retire, leave, or whatever. We actually had a 10 couple deaths. And 2020 was 30 folks; 2021, 25. 11 Actually, that's fiscal year '20-'21. So fiscal 12 year 2022 that started this July 1st, through 13 October 20th we've already had 33 folks leave. So we've 14 had roughly a year's worth of folks leave in three months 15 or four months. And so it's not looking good from that 16 standpoint. 17 Some of them are really key folks that we thought 18 would be around. Some of these folks have turned down 19 offers multiple times to the point where they just can't 20 say no. So that could be a critical thing for us to 21 continue to function as well as we can. 22 But so far I think we're doing okay still, but we're 23 going to have to try to replace those folks and build up 24 some expertise pretty fast so try to keep certain folks. 25 Anyways, that is all I have. I'll entertain</p>

<p style="text-align: right;">Page 58</p> <p>1 questions.</p> <p>2 CHAIR HAMMON: As a reminder, no action is</p> <p>3 required by the board. This is information only.</p> <p>4 If you have questions, please, go ahead.</p> <p>5 MR. KINDER: Scott, Jimmy Kinder. You talked</p> <p>6 about PFAS labs. How many labs in Oklahoma that you're</p> <p>7 aware of besides ours that can test those, and is there</p> <p>8 some type of accreditation that goes with that?</p> <p>9 I guess my point is that it sounds like there's a</p> <p>10 lot of possibility for bad data going out and getting</p> <p>11 false positives and maybe creating some problems that</p> <p>12 don't actually exist, and we should generate some</p> <p>13 legislation that doesn't exist.</p> <p>14 And that's kind of the point of my question. What</p> <p>15 are we finding out in the community -- lab community</p> <p>16 about their ability to test for those chemicals?</p> <p>17 MR. THOMPSON: Well, I don't think really we</p> <p>18 have anything from the lab, so I may not be able to speak</p> <p>19 on this, but I know there's one laboratory in Stillwater</p> <p>20 that can test for these and I think their data is pretty</p> <p>21 decent at this point. So that's all I know of.</p> <p>22 Now, we are a member of NELAP, which is the national</p> <p>23 laboratory accrediting association. And, of course,</p> <p>24 we're accredited by EPA, who comes in, accredits our lab</p> <p>25 and makes sure it's good, et cetera.</p>	<p style="text-align: right;">Page 59</p> <p>1 And through that NELAP, I believe that we can</p> <p>2 accredit laboratories for that, but, you know, the actual</p> <p>3 investigation, the analysis is done somewhere else other</p> <p>4 than our shop as far as, you know, sending a known</p> <p>5 sample, so.</p> <p>6 But at this point I'm only aware of that one</p> <p>7 laboratory in Oklahoma that can actually do that, and I</p> <p>8 think they're just now getting down to detection limits,</p> <p>9 because detection limits for some of the earlier testing</p> <p>10 that was done several years back were higher than they</p> <p>11 are currently. But that will be developing.</p> <p>12 And I'm sure laboratories are scrambling as hard as</p> <p>13 they can to get into this deal because it's going to</p> <p>14 be -- there's going to be a lot of demand and it's</p> <p>15 probably going to be pretty profitable.</p> <p>16 MR. HIRSHEY: I do have an additional question,</p> <p>17 and if it can't be answered today, that's fine. The</p> <p>18 topic has to do with the report on staffing and also in</p> <p>19 regards to the increase in the cannabis facilities that</p> <p>20 are going out throughout the state.</p> <p>21 I know that DEQ regulates waste and what's going on</p> <p>22 there, but I believe a couple years ago we passed some</p> <p>23 ruling on being able to burn disposal products.</p> <p>24 Is there any -- what's currently happening with</p> <p>25 regards to observation and inspection of these</p>
<p style="text-align: right;">Page 60</p> <p>1 facilities?</p> <p>2 Is there -- is it only when a complaint has been</p> <p>3 filed or is there any kind of recurring type, you know,</p> <p>4 observation, testing, sampling, you know, how the</p> <p>5 operations are currently, you know, dealing with their</p> <p>6 waste?</p> <p>7 And looking at the field agents that are probably</p> <p>8 short, what's kind of going on in the state regarding</p> <p>9 that entire topic?</p> <p>10 MR. THOMPSON: Well, we've gotten mainly</p> <p>11 complaints on cannabis facilities, a number of which</p> <p>12 aren't actually licensed and probably aren't selling</p> <p>13 their product in the state of Oklahoma, which is what</p> <p>14 they're supposed to do.</p> <p>15 And so we've run into some really interesting</p> <p>16 issues, and some of our folks are pretty ornery and just</p> <p>17 won't leave until someone shows up who can actually deal</p> <p>18 with them. And so they've gotten some issues addressed</p> <p>19 at some of those where it's way too many people in a</p> <p>20 residential house because they bought a farm and built a</p> <p>21 bunch of grow houses and stuff.</p> <p>22 In one case, they were tearing up the sewage lagoon</p> <p>23 for the house so they could build a grow house on top of</p> <p>24 that. Our guy pretty much stopped them from doing that,</p> <p>25 said you can't do that because you have to keep -- you</p>	<p style="text-align: right;">Page 61</p> <p>1 know, you have to manage your waste and et cetera.</p> <p>2 And so he succeeded, but there's -- some of these</p> <p>3 places are on compounds and they're pretty scary. And</p> <p>4 law enforcement is looking at a lot of them. There's a</p> <p>5 lot of activity in that regard.</p> <p>6 And then, you know, mostly the folks that are doing</p> <p>7 it are trying to do it right and legal, folks who'll</p> <p>8 offer assistance and advice, et cetera.</p> <p>9 And I think our rule is based on the state statute</p> <p>10 that was passed about how to manage waste from these</p> <p>11 medical marijuana facilities. I think that only applied</p> <p>12 to waste of stems and leaves and stuff, but you could</p> <p>13 also compost out and help them figure out how to do that,</p> <p>14 which might be a better solution.</p> <p>15 So there's probably a number of other options for</p> <p>16 any of those, like, processed materials. And there's a</p> <p>17 whole lot going on.</p> <p>18 But there's a new director for Oklahoma Medical</p> <p>19 Marijuana Association, who we're familiar with and we</p> <p>20 have started dialoguing. So we think we're going to make</p> <p>21 a lot more progress with him in terms of getting rules,</p> <p>22 to coordinate with us and other agencies, like the</p> <p>23 Department of Agriculture and the gas commission, to</p> <p>24 reflect that some of these folks need to understand there</p> <p>25 may be rules they have to play by, especially the</p>

<p style="text-align: right;">Page 62</p> <p>1 discharge of water, et cetera.</p> <p>2 So we're chasing a variety of complaints on solid</p> <p>3 waste, surface sewage-type stuff, discharges, et cetera.</p> <p>4 And so we're addressing the ones that we can.</p> <p>5 OMA is gearing up and hiring a lot more agents, and</p> <p>6 rules are going to have to be modified to get a better</p> <p>7 handle on some situations, but we're coordinating and</p> <p>8 intend to coordinate more closely with them.</p> <p>9 So we've also spoke out on some legislative interim</p> <p>10 studies about the issues involved and gave some insights</p> <p>11 into it. And so I think the legislature is very</p> <p>12 concerned, and I believe that they have -- they intend to</p> <p>13 be much more proactive with some of their regulations</p> <p>14 because this was going to be very small market, supposed</p> <p>15 to only be in Oklahoma, so it was going to be</p> <p>16 self-limited by the market itself, but that's not what's</p> <p>17 happening.</p> <p>18 A lot of this material is being grown here and being</p> <p>19 smuggled to the coasts and sold. So I don't think that</p> <p>20 we'll solve this quickly. And, you know, if we have to</p> <p>21 add staff to manage more of this, to know who gives us</p> <p>22 what authority to do so, then we'll seek those funds</p> <p>23 somehow, because I think there's adequate funding coming</p> <p>24 in from the licensing now, and if they up the cost of</p> <p>25 those licenses, that may help with some of that as well.</p>	<p style="text-align: right;">Page 63</p> <p>1 CHAIR HAMMON: Any other questions?</p> <p>2 All right. We'll move on to Agenda Item 8.</p> <p>3 Budget status report, Kathy Aebischer.</p> <p>4 MS. AEBISCHER: Madame Chair, members of the</p> <p>5 board, Kathy Aebischer, chief financial officer for DEQ.</p> <p>6 I'm going to update you on the current fiscal year</p> <p>7 budget status report for revenue collections through</p> <p>8 September 30th.</p> <p>9 We have collected over \$20 million through</p> <p>10 September 30th, just over 50 percent of projections, a</p> <p>11 little more than last year. And SELS is about 87,000</p> <p>12 less than last year, but that's in federal grants and</p> <p>13 that comes at different points of the year, so we're not</p> <p>14 really concerned with that at this point.</p> <p>15 ECLS has collected -- continues to collect more than</p> <p>16 projections over the last couple years, which is good.</p> <p>17 So at this point they're 132 over last year.</p> <p>18 Air is 353,000 -- 353,000 down if we compare it to</p> <p>19 last year, but they have reduced their projections this</p> <p>20 year 448, so their revenue continues to fall. And so</p> <p>21 we've kind of expected this at this point.</p> <p>22 Water is 475,000 more than compared to last year.</p> <p>23 So, overall, no major concerns for revenue. It</p> <p>24 seems to be coming in as expected.</p> <p>25 So if we look at the expenditures through</p>
<p style="text-align: right;">Page 64</p> <p>1 September 30th, we have expended just over 14 million, we</p> <p>2 have encumbered/committed to contracts of 61 million. We</p> <p>3 have 20 million remaining. The majority of that is</p> <p>4 waiting on federal grants.</p> <p>5 So if we look at our funding sources,</p> <p>6 appropriations, we did a carryover last year, and that's</p> <p>7 mainly the rural water funds that we're carrying over to</p> <p>8 this year.</p> <p>9 And we have a balance of 33,000 of the lab equipment</p> <p>10 from two years ago. Due to COVID supply chain, that type</p> <p>11 thing, it's been hard to get in this equipment.</p> <p>12 And then we have -- of our 9 million in general</p> <p>13 appropriations, we've expended 1.5. Revolving funds of</p> <p>14 42 million, we've expended 8.6 million. And then other</p> <p>15 federal funds of 31 million, we've expended 4 million.</p> <p>16 And as you see, that's -- most of the money that's</p> <p>17 remaining is federal grants we're waiting to be awarded</p> <p>18 at this point in the year. So we have a total of</p> <p>19 20 million remaining waiting on federal grants.</p> <p>20 This slide is just illustrating what Scott went over</p> <p>21 on the turnover. At the point of this slide, it was 34</p> <p>22 left. As of today, I know of six more that are leaving</p> <p>23 by the end of the year. Three of them are retirements.</p> <p>24 I think a lot of agencies and companies are dealing</p> <p>25 with this, so we're just trying to figure out ways to</p>	<p style="text-align: right;">Page 65</p> <p>1 retain the employees we have today. And then also, on</p> <p>2 the recruitment side, I know that we're going to</p> <p>3 additional career fairs to kind of bring in and find</p> <p>4 qualified applicants to make sure they're aware of our</p> <p>5 agency.</p> <p>6 So that's something that we're going to continue to</p> <p>7 monitor. If we go -- if we continue at this rate, we're</p> <p>8 expecting 110 to leave just this current fiscal year. So</p> <p>9 it'll be more than we've had in many, many years. So</p> <p>10 we'll keep you posted on that and we hope it slows down a</p> <p>11 little bit.</p> <p>12 Do we have any questions?</p> <p>13 MR. BARTON: Barton. Can you remind us of the</p> <p>14 total complement if fully staffed?</p> <p>15 MS. AEBISCHER: Say that again?</p> <p>16 MR. BARTON: Total complement if fully staffed?</p> <p>17 MS. AEBISCHER: Oh, total number? About 536, I</p> <p>18 think.</p> <p>19 MR. KINDER: Kathy, Jimmy Kinder. Is there one</p> <p>20 division that's being -- that seems to be worse than</p> <p>21 others, I guess, as far as people leaving the industry,</p> <p>22 looking at one division a little harder than another, or</p> <p>23 just kind of a question about what kind of people are</p> <p>24 leaving as far as skills?</p> <p>25 MS. AEBISCHER: I would say for the program</p>

<p style="text-align: right;">Page 66</p> <p>1 divisions, there's a lot leaving. Air has a lot. ECLS. 2 Administration, we seem to be doing pretty decent, better 3 than the other divisions. So I'd say it's mainly in the 4 program areas. 5 MR. THOMPSON: I would say the water programs, 6 very significantly. 7 MR. MASON: So, historically, does what we pay 8 the ED serve as a cap for what we can pay other 9 employees? 10 With the fair but generous raise Scott got last 11 meeting, are you pushing through raises with that 12 increase of his salary? 13 MR. THOMPSON: I would say we're working on 14 that as far as we can. And so, again, we'll have some 15 more concrete news for you very soon. 16 MR. MASON: Push faster, sounds like. 17 MR. THOMPSON: Well, we still can't compete, 18 but if we can make things better, then we may be able to 19 have more retention, but we cannot compete with some of 20 the numbers being thrown around out there. 21 CHAIR HAMMON: Any other questions? 22 Thank you, Kathy. 23 Agenda Item Number 9 is employee disclosure, and 24 that will be presented by Jennifer Boyle. 25 MS. BOYLE: Good morning. Jennifer Boyle,</p>	<p style="text-align: right;">Page 67</p> <p>1 general counsel. 2 When I made the request for employee disclosures 3 this year -- as you know, all employees who have a 4 potential financial interest in an entity regulated by 5 the DEQ must disclose that interest to us. 6 When I made the first request this year, I got quite 7 a few interesting inquiries about interest in marijuana 8 businesses. But none of those actually did qualify. 9 None of them do qualify for permits for us right now. 10 But we do have three that did gain financial 11 interests through inheritance, and one was with OG&E and 12 two other employees received shares in ConocoPhillips in 13 particular but several other oil and gas interests. But 14 that's it for this year. 15 Thanks. 16 CHAIR HAMMON: Thank you. 17 Any questions from the board? 18 All right. Item number 10 is for new business. 19 Any matter not known about which could not have been 20 reasonably foreseen prior to the posting of the agenda, I 21 do not know of any. 22 Does anyone have an item that meets that description 23 for today? 24 MR. HIRSHEY: I have one -- Hirshey -- and it 25 could be put on the agenda. I just kind of thought about</p>
<p style="text-align: right;">Page 68</p> <p>1 this. It's been quite a while since we've had an update 2 regarding the electric charging station program, that 3 project. I know it was kind of under our guidance 4 because of the Volkswagen settlement funding. 5 So maybe for next board meeting we could have just 6 an update on that? 7 MS. STEGMANN: Kendal Stegmann. I can speak to 8 that. We have some really good numbers. We've been 9 coordinating with the secretary's office. We're very 10 high on the number of stations per capita in Oklahoma. 11 Yes, our VW program is very successful. We have 12 about 90 individual chargers throughout the state. We 13 have over 30 actual stations throughout the state. We 14 recently had a ribbon cutting at OCCC with one of our 15 charging stations. 16 We have also been doing a lot of work on our Onroad 17 Program and our school buses, but we are pushing forward 18 and more people are applying every year. It's a very 19 successful program. 20 MR. THOMPSON: I would say we're -- I can't 21 remember. We're in the top three in a couple different 22 ways in terms of the number of high -- fast-charging 23 stations. 24 MS. STEGMANN: Correct. We have a charging 25 station within 50 miles of each other. So Oklahoma is</p>	<p style="text-align: right;">Page 69</p> <p>1 very -- we're prominent in the EV charging. 2 MR. THOMPSON: I think we're behind California, 3 and we're third. I can't remember how you cut those 4 numbers, but we have some of that information available 5 and can get it to you. 6 MS. STEGMANN: We can get it to you. 7 MR. THOMPSON: So we can present that next 8 time. 9 MR. HIRSHEY: That would be great. As far as 10 the schedules, where are we, percent, time frames, just 11 minor, that would be great. 12 MS. STEGMANN: Definitely. We'll have 13 something for you next time. 14 CHAIR HAMMON: Excellent. Thank you. 15 Congratulations on a successful program, and we look 16 forward to hearing more about it in the future. 17 Any other new business items? 18 All right. Hearing none, our next meeting will be 19 held February 18th, 2022, back in Oklahoma City. Look 20 forward to seeing you there at that time. And I 21 understand that there are about a dozen rules already set 22 up for the board to consider at that time, so that should 23 be a fairly busy meeting. 24 Once again, I have appreciated having everyone in 25 Bartlesville, and I hope you get some time this afternoon</p>

<p style="text-align: right;">Page 70</p> <p>1 to enjoy the town. Make your way downtown, it's a lot 2 different from the construction you see on the highway. 3 It's a lovely downtown area. 4 With that, I will adjourn the meeting for the 5 November 9 Department of Environmental Quality. 6 Oh, we do need a motion to adjourn, so we will work 7 on adjourning the meeting. And following that, we'll 8 conduct the public forum. 9 So do I have a motion to adjourn? 10 MR. GRIESEL: Griesel. So moved. 11 CHAIR HAMMON: Thank you. 12 A second? 13 MR. MUNSON: Munson second. 14 CHAIR HAMMON: I have a motion and a second. 15 Quiana, roll call, please. 16 MS. FIELDS: Mr. Auer. 17 MR. AUER: Yes. 18 MS. FIELDS: Mr. Barton. 19 MR. BARTON: Yes. 20 MS. FIELDS: Mr. Easton. 21 MR. EASTON: Yes. 22 MS. FIELDS: Mr. Griesel. 23 MR. GRIESEL: Yes. 24 MS. FIELDS: Mr. Hirshey. 25 MR. HIRSHEY: Yes.</p>	<p style="text-align: right;">Page 71</p> <p>1 MS. FIELDS: Mr. Kinder. 2 MR. KINDER: Yes. 3 MS. FIELDS: Mr. Mason. 4 MR. MASON: Yes. 5 MS. FIELDS: Mr. Munson. 6 MR. MUNSON: Yes. 7 MS. FIELDS: Mr. Sims. 8 MR. SIMS: Yes. 9 MS. FIELDS: Dr. Hammon. 10 CHAIR HAMMON: Yes. 11 MS. FIELDS: Motion passed. 12 CHAIR HAMMON: All right. We're adjourned. 13 Thank you to legal for keeping me on track here. 14 So we're going to move to the public forum session. 15 I know we have at least one person signed up to speak. 16 I'm going to go ahead and read the script for our public 17 forum. 18 PUBLIC FORUM 19 CHAIR HAMMON: Welcome to this public forum of 20 the Environmental Quality Board. Public input is 21 valuable to the board and the department and we welcome 22 your participation. 23 If you desire to make comments at today's forum, but 24 you did not sign the sheet on the information table when 25 you came in, will you please raise your hand.</p>
<p style="text-align: right;">Page 72</p> <p>1 All right. We ask that you please try to limit your 2 comments to five minutes. I will advise you when five 3 minutes have passed, and I will ask you to complete your 4 presentation. 5 The forum allows you to make suggestions or express 6 concerns about environmental laws, rules, or policy. 7 However, concerns with an action or decision in a 8 specific case or matter, such as a particular permit 9 application or enforcement case, should be communicated 10 directly to the department. The board cannot and does 11 not intervene in those case-specific decisions. 12 We also ask that you not use the forum to advertise 13 or publicize commercial products or services. Because of 14 the nature of the issues that are appropriate for the 15 forum, you may not receive an immediate response to your 16 comments. The department staff and/or board generally 17 will need some time to evaluate comments and respond to 18 that. 19 So at this time I have a Patricia Sifuentes. 20 If you'd like to come up to the microphone, and if 21 you could please restate your name and your affiliation. 22 Thank you. We appreciate you being here today. 23 MS. SIFUENTES: My name is Patricia Sifuentes. 24 I am a student at Rose State College in Midwest City. 25 And just this week I was nominated for the NAACP to be</p>	<p style="text-align: right;">Page 73</p> <p>1 the chair of the political activism committee, and so 2 this statement is on behalf of NAACP. 3 On behalf of the Oklahoma State Conference for the 4 National Association for the Advancement of Colored 5 People, I come before you today with concerns on how 6 environmental policies will affect low income households 7 and everyone else in the state. 8 Our concerns come at a time when Oklahoma Natural 9 Gas wants to charge residential customers as much as 10 \$1,375 to switch from natural gas to all electric. We 11 have been made aware that the Oklahoma Environmental 12 Quality Code requires the DEQ to prepare the Oklahoma 13 Environmental Quality report, which we discussed in this 14 meeting. 15 And we're calling on the department to also provide 16 us, the NAACP, the same briefing and other related 17 reports as well that are provided to the legislators in 18 our state. 19 The rapid changes of consumer behavior and the 20 pandemic and strong drive by world government towards a 21 low carbon future have caused a dramatic downward shift 22 in expectations for jobs and oil demand over the next 23 couple years, but what this really comes down to is the 24 issue of the environment, and the most compelling 25 argument is an economic one.</p>

<p style="text-align: right;">Page 74</p> <p>1 According to the U.S. Bureau of Economic Analysis, 2 Oklahoma ranks fourth in the nation for crude oil 3 production, fourth in the nation for natural gas. And 4 \$32.13 billion was added to Oklahoma's GDP just from 5 mining, quarrying, and gas and oil industries. This is 6 more than half. 7 We must realize that the U.S. itself and the other 8 countries in this world, and especially the G20 countries 9 like they've mentioned in the summit, recognize the 10 scientific merit of trying to transition our energy 11 source now to clean renewable energy to stay below the 12 1.5-degree Celsius threshold. This is already having 13 economic consequences. 14 The "New York Times" reported that the banking 15 industry is already shifting away from oil and gas. It 16 is becoming a very risky long-term investment. I, 17 myself, prefer to let Tesla make money for me. 18 According to the IEA, International Energy 19 Association, in its Oil 2021 report, they said, and I 20 quote, world oil markets are rebalancing after the 21 COVID-19 crisis spurring an unprecedented collapse in 22 demand in 2020, but they may never return to normal. 23 We know and understand things are just simply not as 24 simple as stopping production of these resources; 25 however, our concern is what exactly is Oklahoma doing to</p>	<p style="text-align: right;">Page 75</p> <p>1 transition its economy to ensure our citizens of the 2 economic stability that they deserve here in the state. 3 Not only are we talking about dollars that will 4 simply cease to exist in the future, we must think about 5 the jobs that will be lost here. 6 Our mission at the NAACP has always been to increase 7 participation among other branches; youth and college 8 leadership, parents, teachers, community leaders, with a 9 platform to ensure political, educational, social, and 10 economic quality of rights to all persons and to 11 eliminate race-based discrimination. 12 We are here calling on the Environmental Quality 13 Board in your capacity to address the ever-growing 14 climate crisis and to stop our state's inaction. Let 15 Oklahoma be the example of a renewable energy transition. 16 Thank you. 17 CHAIR HAMMON: Thank you, Ms. Sifuentes. I 18 appreciate your speaking to the board and taking to the 19 time to be with us today. We appreciate your comments. 20 MR. THOMPSON: Scott Thompson. So we'll get 21 you any documentation that you want. That would be easy 22 to do. And I would say -- I don't know the numbers like 23 Secretary Wagner, but I think we get up to 40 percent of 24 our energy from alternative sources. 25 Solar is increasing --</p>
<p style="text-align: right;">Page 76</p> <p>1 MS. SIFUENTES: I believe it's 35 percent as of 2 2020. 3 MR. THOMPSON: Okay. And we export a lot of 4 that, so a lot of states that brag about their green 5 energy, it's really coming from Oklahoma. So we have a 6 good mix right now. 7 And there's a big challenge to going alternative in 8 terms of how realistic it is and what the cost is going 9 to be to do so. As we get more and more electric 10 vehicles out there, that's great, but it's also going to 11 put more and more demands on the grid, especially at 12 night when you don't get a lot of wind or solar. 13 So there's going to be a huge challenge there as 14 battery technologies develop, et cetera, but I'd say 15 Oklahoma is a leader in some of the alternative energy 16 right now. If you look at where we are in terms of how 17 high we're up, I think we're third in wind or something 18 like that. 19 But, anyway, we can get you all that information and 20 we'd be happy to continue to supply you with any of that 21 kind of documentation. 22 MS. SIFUENTES: I think it's important to also 23 express that even though we're third in the nation for 24 wind energy production, for our state that means we're 25 only talking about 35, maybe even at most 40 percent of</p>	<p style="text-align: right;">Page 77</p> <p>1 our energy from wind. 2 And from my understanding -- and I'm not a geologist 3 by any means -- Oklahoma has much more wind capability 4 than that. And to me it seems like Oklahoma is not only 5 incentivizing -- not -- not trying to incentivize this 6 transition, but that is potential money that could be to 7 everyone's benefit, especially the state. 8 MR. THOMPSON: Right. And DEQ has a very 9 limited role in our regulations. That sector, that's 10 really done through other agencies like the Corporation 11 Commission in terms of utility rates and all that, and 12 capital costs, et cetera. 13 So we'd be happy to visit with you on that and get 14 you information. We don't really control that sector. 15 We don't make decisions that influence that. We just 16 address the regulations that apply to it as it develops. 17 CHAIR HAMMON: We do appreciate your comments 18 today. We thank you for being here. 19 Was there anyone else who wished to register to 20 speak with the board today? 21 All right. With that, thank you all for attending. 22 Please enjoy your time here in Bartlesville. 23 Thank you for coming. 24 (End of proceedings at 11:10 a.m.) 25</p>

1 STATE OF OKLAHOMA)

2) SS:

3 COUNTY OF OKLAHOMA)

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5 C E R T I F I C A T E

6 I, DEBRA GARVER, a certified shorthand reporter
7 within and for the State of Oklahoma, certify that the
8 foregoing transcription of the DEPARTMENT OF
9 ENVIRONMENTAL QUALITY BOARD MEETING of November 9, 2021,
10 at 9:30 a.m., at Tri County Tech, 6101 Nowata Road,
11 Bartlesville, Oklahoma, was taken by me in stenotype and
12 simultaneously transcribed by computer, and the foregoing
13 is a true and correct transcript of said proceedings, and
14 that I am not an attorney for or a relative of any party,
15 or otherwise interested in this action.

16 Witness my hand and seal of office, December 13,
17 2021.

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November 9, 2021
Bartlesville, Oklahoma

NAME and/or AFFILIATION

Address and/or Phone and/or E-Mail

Quiana Fields

Sharon Smith

Kathy Aebischer

Tracey Hammon

Jimmy Givens

Scott Thompson

Rob Singleton

Giuseppe David K
Travis Mensick

Debbie Nichols

Jeremy McKinney

Mark Bersche

Ken Hirshey

Cathy Gillingham

Kylar McElhenny

Erin Hatfield

Jennifer Boyle

Michelle Wynn

Eric Lee

Steve Mason

Bennett Beard

Semmi Lewis

Mark Bapton

Brian Simon

Jim Fuchs

John Canton

DEQ

DEQ

EQB

DEQ

DEQ

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Board

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DEQ Board.

City of Tulsa

DEQ

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City of Tulsa

EQB

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EQB

DEQ Board

EQB



OKLAHOMA
DEPARTMENT OF ENVIRONMENTAL QUALITY

ENVIRONMENTAL QUALITY BOARD

Attendance Record

November 9, 2021

Bartlesville, Oklahoma

NAME and/or AFFILIATION

Address and/or Phone and/or E-Mail

Travis Couch	DEQ	405-702-7131
Patricia Sifuentes	NAAEP	405-905-9391
Tim Morrison	DEQ	405-543-2420
Larry Lodes	HQC	405-919-4129
Dave Corbano	HUMAC	918-331-7902
Lendal Eggmann	DEQ	
Shelley Chard	DEQ	
Mike Ay	DEQ	918